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10 Attorneys for Defendants
 11 ROCHE DIAGNOSTICS CORPORATION and
 12 ROCHE DIAGNOSTICS OPERATIONS, INC.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

18 ABBOTT DIABETES CARE INC. and
 19 ABBOTT LABORATORIES,

20 Plaintiffs,

21 v.

22 ROCHE DIAGNOSTICS CORPORATION
 23 ROCHE DIAGNOSTICS OPERATIONS,
 INC., and BAYER HEALTHCARE LLC,

24 Defendants.

25 AND RELATED ACTIONS
 26

Case No. C05-3117 MJJ

**[PROPOSED] ORDER GRANTING
 DEFENDANTS LEAVE TO CITE
 ADDITIONAL AUTHORITY IN
 RESPONSE TO PLAINTIFFS' REPLY
 MARKMAN BRIEF**

Judge: The Honorable Martin J. Jenkins

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**[PROPOSED] ORDER GRANTING DEFENDANTS LEAVE TO CITE ADDITIONAL AUTHORITY IN
 RESPONSE TO PLAINTIFFS' REPLY MARKMAN BRIEF
 CASE NO. C05-3117 MJJ**

1 THERASENSE, INC., and ABBOTT
2 LABORATORIES

3 Plaintiffs,

4 v.

5 BECTON, DICKINSON AND CO.,

6 Defendants.

7 AND RELATED CASES

Case Nos. C04-2123 MJJ
C04-3732 MJJ
C04-3327 MJJ

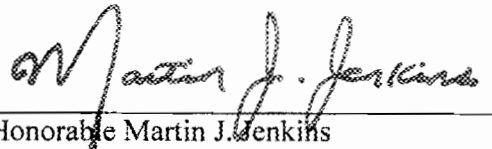
Judge: The Honorable Martin J. Jenkins

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9 Having considered Defendants' UNOPPOSED MOTION FOR LEAVE TO CITE
10 ADDITIONAL AUTHORITY IN RESPONSE TO PLAINTIFFS' REPLY MARKMAN BRIEF,
11 this Motion is GRANTED and it is hereby ORDERED:

12 Defendants may cite to this Court the decision in *Pall Corp. v. Micron Separations, Inc.*,
13 66 F.3d 1211, 1216-17 (Fed. Cir. 1995) in response to Plaintiffs' Reply Markman Brief.
14 Defendants may also rely on this authority during the claim-construction hearing set for March 9,
15 2007.

16
17 Dated: 2/26/07

18
19 By:


The Honorable Martin J. Jenkins
United States District Court Judge